

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1016 - HB 1546

March 26, 2021

SUMMARY OF BILL: Prohibits a law enforcement agency from using drones without first obtaining a search warrant from a judge, except in certain circumstances.

Authorizes an interested party to file an action against a law enforcement agency for declaratory and injunctive relief, destruction of any evidence, disclosure of all law enforcement acts related to such use of evidence, and damages.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-13-609(c), the use of a drone, or other substantially similar device, by a law enforcement agency to search for and collect evidence or obtain information or other data shall constitute a search unless authorized by and used in compliance with certain practices.
- Modifying current standards of exceptions to drone searches without a warrant will not substantially affect arrest or conviction rates.
- Pursuant to Tenn. Code Ann. § 39-13-609(f), any person aggrieved by the use of a drone may initiate a civil action against a law enforcement agency to obtain all appropriate relief, including injunctive relief, destruction of the evidence, information or other data obtained, damages, and reasonable attorney fees.
- This legislation would instead authorize an interested party to file an action against a law enforcement agency for declaratory and injunctive relief, destruction of any evidence, disclosure of all law enforcement acts related to such use of evidence, and damages.
- Any increase in caseloads to trial courts can be accommodated within existing resources without an increased appropriation or reduced reversion.
- There will not be a sufficient number of actions filed for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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